

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GEORGE A. JACKSON, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	C.A.No. 05-823-***
	:	
STANLEY TAYLOR, et al.,	:	JURY TRIAL REQUESTED
	:	
Defendants.	:	
	:	

REQUEST FOR APPOINTMENT OF INDEPENDENT EXPERT

COME NOW Plaintiff George A. Jackson, et al., on behalf of himself and all others similarly situated, pro se, and respectfully move this Honorable Court for the appointment of independent expert, and states the following:

1. Plaintiffs filed a civil rights action seeking class certification, injunctive and declaratory relief, and compensatory damages against Defendants arising out of the inadequate ventilation and air flow provided to inmate kitchen workers at the Sussex Correctional Institution, Georgetown, Delaware.

2. This class action is brought pursuant to 42 U.S.C. § 1983, the Eighth Amendment to the United States Constitution. The relief seek from defendants is in respect to conditions of plaintiffss confinement within the Delaware Department of Correction, which constitute cruel and unusual punishment under the Eighth Amendment to the Constitution of the United States.

3. Plaintiffs allege that the "Old-side" system has not work since 1997. They allege that there is inadequate ventilation and air flow which results in excessive heat and extreme humidity in the summer months and extreme cold during the winter months at the work place. Plaintiffs allege that the condition is compounded by the use of floor fans which cause dust and lint to be blown over the food preparation and dishwashing areas. Finally, plaintiffs allege that there is extensive rodent and insect infestation. Plaintiffs allege that the

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foregoing has resulted in contaminated food being disbursed to the prison population.

4. Plaintiffs ask that an independent expert with special skill or experience in local exhaust ventilation system to inspect the SCI main kitchen as to the construction, installation, or the condition or state of repair of the "old-side" exhaust ventilation system to ensure the required protection by ~~to ensure the required protection by~~ maintaining a volume and velocity of exhaust air and air flow sufficient to gather dust, fumes, vapors, or gases from commercial cooking equipment, and to convey to suitable points of safe disposal, thereby preventing their dispersion in harmful quantities into the atmosphere where inmates work..

5. Plaintiffs believe an independent expert is warrant in this case since numerous of defendants have clearly stated that there has been complaints about the work conditions in the kitchen.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court grant their Request for appointment of independent expert with the special skill to state an inference or judgment as to the condition or state of repair of the "old-side" ventilation system.



George A. Jackson, et al
Sussex Correctional Institution
P.O. Box 500
Georgetown, DE 19947

CERTIFICATE OF SERVICE

I hereby certify that on April 4th, 2007, I filed REQUEST FOR APPOINTMENT OF INDEPENDENT EXPERT with the Clerk of Court by placing said motion in the SCI prison U.S. mail box to be forward to:

Eileen Kelly
Deputy Attorney General
Department of Justice
820 N. French St., 6th Fl
Wilmington, DE 19801

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